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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 00-6022-CIV-LENARD
Magistrate Judge Turnoff

HENRY NARANJO and
MARLENE RAMIREZ,

Plaintiffs,

v.

STEPHEN BYRON SMITH, and
PALMER JOHNSON, INC.,

Defendants.

PALMER JOHNSON, INC.,

Third Party Plaintiff,

v.

TOM FEXAS YACHT DESIGN, INC.,

Defendant.

**SECOND AGREED MOTION TO
EXTEND EXPERT DISCOVERY DEADLINE**

COMES NOW, the Defendant, PALMER JOHNSON, INC., by and through its undersigned attorneys, and files this Second Agreed Motion to Extend Expert Discovery Deadline in support thereof, and states as follows:

1. That pursuant to this Court's most recent Order, the expert discovery deadline herein has been set as August 31, 2001.
2. However, due to the recent inclusion of Tom Fexas Yacht Designs, Inc., as a Third Party Defendant, as well as scheduling conflicts between the various counsel

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herein, the parties have encountered difficulty in scheduling various expert discovery matters.

3. That a great number of discovery matters have finally been scheduled despite these difficulties, and are set for the month of September and the first week of October.

4. That based on the parties inability to schedule various expert discovery matters prior to August 31, 2001, despite a good faith effort to do so, and due to the fact that various expert discovery items have now been properly coordinated and scheduled through October 5, 2001, the parties respectfully request that the discover deadline be enlarged in order to accomplish the necessary expert discovery, which is critical to all the parties herein.

Moreover, the parties are anticipating that the previously continued Settlement Conference with Magistrate Judge Turnoff will be rescheduled for September or October, and the additional discovery will assist the parties in evaluating their motion for resolution when the settlement conference resumes with Judge Turnoff.

5. That this motion is made in good faith for the good causes outlined above, and not for the purpose of delay, and all counsel herein have agreed with terms of this motion.

WHEREFORE the parties, through Defendant, PALMER JOHNSON, INC., respectfully request this Court enter an order granting this Motion and extending the deadline to submit expert discovery up through and including October 5, 2001.

CERTIFICATE OF SERVICE


WE HEREBY CERTIFY that a true and correct copy of the foregoing motion has been furnished by mail this **31st** day of August, 2001 to: **Manuel Valdes, Esquire**, Law Offices of Manuel Valdes, Attorneys for Plaintiffs, 910 Madrid Street, Coral Gables,

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Florida 33134; **F. David Famulari, Esquire**, Co-Counsel for Plaintiffs, Blanck & Perry, P.A., 5730 SW 74th St., Suite 700, Miami, FL 33143; **John D. Kallen, Esquire**, Badiak, Will & Kallen, Attorneys for Stephen Byron Smith, 17071 West Dixie Highway, North Miami Beach, Florida 33160; **Joseph L. Mannikko, Esquire**, Mannikko & Baris, P.A., 870 SW Martin Downs Blvd., Suite 1, Palm City, Florida 34990, and **David L. Weber, Esquire**, Pinkert Law Firm LLP, 454 Kentucky Street, P.O. Box 89, Sturgeon Bay, WI 54235-0089.

VALLE & CRAIG, P.A.
Co-Counsel for Defendant,
PALMER JOHNSON, INC.
Dadeland Centre
Suite 1000
9155 South Dadeland Boulevard
Miami, Florida 33156
Telephone: (305) 373-2888
Fax: (305) 373-2889

By: _____


LAURENCE P. VALLE
Florida Bar No. 121382
FRANK J. SIOLI
Florida Bar No. 009652